

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Application of:	Hildebrand et al.	Group Art Unit:	3767
Application No.:	10/773,965	Examiner:	C. Witczak
Filing Date:	6 February 2004	Atty Dkt:	P11472.00
For:	DELIVERY OF A SYMPATHOLIC CARDIOVASCULAR AGENT TO THE CENTRAL NERVOUS SYSTEM TO COUNTER HEART FAILURE AND PATHOLOGIES ASSOCIATED WITH HEART FAILURE		

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**RESPONSE TO NON-FINAL OFFICE ACTION**

Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the non-final Office Action mailed 19 July 2006, which set a one-month statutory period for response set to expire on 19 August 2006.

The Office Action requested Applicants to address the double patenting rejection of all pending claims 1-74 set forth therein. In response Applicants tender herewith a Terminal Disclaimer.

This Response is provided in advance of the expiration of said period for reply.